

In the Court of Appeals of the State of Alaska

Cress Carney,

Appellant,

v.

State of Alaska,

Appellee.

Court of Appeals No. **A-13932**

Order

Motion to Reduce Filing Fee
under AS 09.19

Date of Order: **1/11/2022**

Trial Court Case No. **3DI-19-00151CI**

The appellant, Cress Carney, moves for an exemption from the filing fee for his appeal. This case, a prisoner's civil appeal against the State of Alaska, is governed by the provisions of AS 09.19. Under AS 09.19.010(d), even when a prisoner cannot afford to pay the normal filing fee, the filing fee must be at least 20 percent of (1) the average monthly amount of deposits to the prisoner's account during the preceding six months or (2) the average monthly balance of the prisoner's account during the preceding six months, whichever is greater.

Based on the financial information provided by the Appellant, the greater figure is twenty percent of the average monthly deposits to the prisoner's account: \$23.47. It is the practice of this Court to round the minimum filing fee up to the nearest 25 cents. In Mr. Carney's case, this yields a minimum filing fee of \$23.50.

Accordingly, **IT IS ORDERED:**

1. Mr. Carney's motion for an exemption from the normal filing fee is **GRANTED in part.**

2. Mr. Carney shall pay a reduced filing fee in the amount of **\$23.50**. This fee must be paid within 30 days of this order - **2/10/2022**. If there is good reason, the Court may grant an extension of this deadline. If Mr. Carney fails to pay the filing fee within the time allowed, this appeal will be rejected for filing and this case will be closed.

Entered under the authority of Chief Judge Allard.

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Clerk of the Appellate Courts


Julie Kentch, Deputy Clerk

cc: Cress Carney at Spring Creek Correctional Center

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